

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
HARRISONBURG (STAUNTON) DIVISION

IN RE:)
)
CLIFTON CURTIS CLEMENTS AND) CASE NO. **08-51006**
CHRISTINE MARIE CLEMENTS)
)
Debtors)

)
BAC HOME LOANS SERVICING, L.P.)
FKA COUNTRYWIDE HOME LOANS)
SERVICING, L.P. AS SERVICER)
FOR WELLS FARGO BANK, NATIONAL)
ASSOCIATION AS TRUSTEE FOR)
SECURITIZED ASSET BACKED)
RECEIVABLES LLC 2005-FR5)
MORTGAGE PASS-THROUGH)
CERTIFICATES, SERIES 2005-FR5)

Plaintiff)

v.)

)
CLIFTON CURTIS CLEMENTS)
AKA CLIFTON C. CLEMENTS)
AND CHRISTINE MARIE CLEMENTS)
AKA CHRISTINE M. CLEMENTS)

and)

GEORGE I. VOGEL, II, TRUSTEE)

Defendants)

RESPONSE TO MOTION FOR RELIEF

George I. Vogel, II, Trustee in the above referenced cause respectfully responds to the Motion for Relief filed in the above referenced matter and states as follows:

1. That he admits the allegations contained in paragraphs 1 and 2 and of the Motion for Relief.
2. That he is without sufficient information to admit the allegations contained in paragraphs 3, 4, 5 and 6 of the Motion for Relief and therefore denies same.
3. That the Trustee denies the allegations contained in paragraph 7 of the Motion for Relief.

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Roanoke VA

4. That the Trustee has not received proof of Plaintiff's lien and has not determined if there is any equity in the real estate that is the subject matter of the Motion for Relief for the benefit of the general creditors.

WHEREFORE, the undersigned respectfully prays that the Motion for Relief be denied and that the undersigned have such further relief as the nature of this cause may require.

Respectfully,

/S/ GEORGE I. VOGEL, II
George I. Vogel, II, Trustee

George I. Vogel, II, Trustee
Vogel & Cromwell, L.L.C.
P.O. Box 18188
Roanoke, VA 24014
540-982-1220

CERTIFICATE OF SERVICE

I hereby certify that I have this 21st day of June, 2010 electronically filed the original of the foregoing with the United States Bankruptcy Court for the Western District of Virginia, (Harrisonburg (Staunton) Division), which caused electronic notifications of the filing to be served on the Plaintiff and counsel for the debtors.

/S/ GEORGE I. VOGEL, II
George I. Vogel, II, Trustee

Vogel &
Cromwell, L.L.C.

Roanoke VA